

<b>INFORMATION DISCLOSURE CITATION IN AN APPLICATION</b>  <b>(PTO-1449)</b>				<b>ATTY. DOCKET NO.</b> <b>068911-0126</b>		<b>SERIAL NO</b> <b>10/557,293</b>	
				<b>APPLICANT</b> <b>John G. Babish</b>			
				<b>FILING DATE</b> <b>12/20/2006</b>		<b>GROUP</b> <b>1655</b>	
<b>U.S. PATENT DOCUMENTS</b>							
EXAMINER'S INITIALS	CITE NO.	Document Number <small>Number-Kind Code: (if known)</small>	Publication Date <small>MM-DD-YYYY</small>	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear		
	1	US 3,451,821	6/24/69	Todd et al.			
	2	US 4,389,421	6/21/1983	Palamand			
	3	US 5,041,300	8/20/1991	Todd et al.			
	4	US 5,919,813	7/6/99	De Juan			
	5	US 6,291,483	9/18/01	Upadhyay et al.			
	6	US 6,482,456	11/19/2002	Yokoo, et al.			
	7	US 6,482,456	11/19/02	Yokoo, et al.			
	8	US 6,689,388	2/10/04	Kuhrts			
	9	US 6,790,459	9/14/04	Cheng et al.			
	10	US 7,195,785	3/27/07	Babish et al.			
	11	US 7,205,151	4/17/07	Babish et al.			
	12	US 7,270,835	9/18/07	Tripp et al.			
	13	US 7,279,185	10/9/07	Babish et al.			
	14	US 7,332,185	2/19/08	Babish et al.			
	15	US 7,431,948	10/7/08	Tripp et al.			
	16	US 20020028852	3/7/02	Ghai, et al.			
	17	US 20020156087	10/24/02	Nuss et al.			
	18	US 20030003212	1/1/03	Chien et al.			
	19	US 20030180402	9/25/03	Jia et al.			
	20	US 20030228369	12/1/03	Kuhrts			
	21	US 20040115290	6/17/04	Tripp et al.			
	22	US 20040151792	8/5/04	Tripp et al.			
	23	US 20050042317	2/24/05	Babish et al.			
	24	US 20050129791	6/16/05	Babish et al.			
	25	US 20050192356	9/1/05	Babish et al.			
	26	US 20060127511	6/15/06	Tripp et al.			
	27	US 20060127512	6/15/06	Tripp et al.			
	28	US 20060127513	6/15/06	Tripp et al.			
	29	US 20060127514	6/15/06	Tripp et al.			
	30	US 20060127515	6/15/06	Tripp et al.			
	31	US 20060127516	6/15/06	Tripp et al.			
	32	US 20060127517	6/15/06	Tripp et al.			
	33	US 20060193933	8/31/06	Tripp et al.			
	34	US 20070020352	1/25/07	Tripp et al.			
<b>EXAMINER</b> /Michael Meller/ (07/29/2010)				<b>DATE CONSIDERED</b>			

\*EXAMINER. Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /M.M./

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## FOREIGN PATENT DOCUMENTS

EXAMINER'S INITIALS	CITE NO.	Foreign Patent Document Country Codes - Number & Kind (Codes if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Figures Appear	Translation
	1	DE 3931147	3/28/91	Solong Natural Ltd Plantextrakt GmbH & Co KG	Abstract	Yes
	2	DE 19939350	2/22/01	Miller Brewing Co.	Abstract	No
	3	EP 0606599 A1	7/20/94	Zuyskeforschungs		
	4	EP 0681029 A2	11/8/95	S.S. Steiner, Inc.		
	5	GB 2330076	4/14/99	Kameho Ltd	Abstract	
	6	JP 10152428	6/3/98	Noeyr Co. LTD		
	7	JP 2002-12550	1/15/02	TAIYO KORYO KK		
	8	JP 36311219	9/2/88	Asahi Breweries, Ltd.	Abstract	
	9	JP 409067245	3/11/97	Asahi Breweries Ltd	Abstract	
	10	JP 4202138	7/22/92	Aerozol Trust	Abstract	
	11	SU 1247011	7/30/86	Alecon, Inc.	Abstract	
	12	WO03/082249	10/9/03	Adams Food Ltd		
	13	WO99/61038	12/1/1999	Maurx, Anna-Susan		
	14	ZA200000857	8/29/01	Hu		
	15	CN1203268	12/30/98			

## OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER'S INITIALS	CITE NO.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.
	1	"Information on antihypertensive product", downloaded from Internet 8/30/02.
	2	Albal, M.V., et al., "Clinical evaluation of berberine in mycotic infections," Indian J. Ophthalmol 34:91-2 (1986)
	3	Berniejo, et al. Rev. Esp. Enferm. Dig. 95: 621-624 and 625-628 (2003)
	4	Byrne, et al. J. Chem. Soc. (C) 2810 (1971)
	5	Carrocio, et al. Clin. Chem. 49:861-867 (2003)
	6	Carson, J. Am. Chem. Soc. 73:1850-1851 (1951)
	7	Chou, et al. Adv enzyme regul 22:27-55 (1984)
	8	Cohen, et al. J. Biol. Chem. 252:6338-6442 (1977)
	9	Cohen, Protein Kinases - the major drug targets of the twenty-first century? Nature Reviews, 1: 309-315 (2002)
EXAMINER		DATE CONSIDERED

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	10	Davis, W.L. Abstract - Fertiliser, Feeding stuffs and Farm Supplies J. 11:694 (1926)
	11	Exercise as Treatment for Arthritis, Rheumatic and Immunologic Diseases, Cleveland Clinic, www.clevelandclinic.org, March 14, 2000, 3 pages.
	12	Gerhauser, "Beer Constituents as Potential Cancer Chemopreventive Agents, EP Journal of Cancer 41: 1941-1954; (2005)
	13	Gilani, "Studies on Antihypertensive and Antispasmodic Activities of Methanol Extract of Acaea nilotica Pods", Phytotherapy Research 13: 663-669 (1999)
	14	Goldstein, et al. Am. J. Gastroenterol. 96:1019-1027 (2001)
	15	Lamberg, et al. J. Bio. Chem. 246:6713-6721 (1971)
	16	International Search Report for PCT/US06/30920, 08/03/07, 3 pages
	17	International Search Report for PCT/US06/47196
	18	Jach, Przegled Dermatol. 65(4):379-382 (1978)
	19	Kaltner, D., Technische Universität München, (11/30/2000), pp. 1-193, plus Tabs. AH1-AH31.
	20	Kaltner, Investigation of formation of Hops Aroma and technological Measures for Products of Hops-Aromatic Beers, Technical University of Munich, 7 pp
	21	Kanematsu, et al. J Bone Miner Res 12(11):1789-1796 (1997)
	22	Lopes, Curr. Med Res Opin. 8:145-149 (1982)
	23	Newmark, et al., "Beyond Aspirin nature's answer to arthritis, cancer & Alzheimer's disease," hobbit press (2000) release 7; pp. 147-151, 248.
	24	Pairet, et al. Inflamm. Res 47, Supplement 2s93-s101 (1998)
	25	Pippa, et al. Scand. J. Gastroenterol. Suppl. 167:32-35 (1989)
	26	Poullis, et al. J. Gastroenterol. Hepatol. 18:756-762 (2003)
	27	Provital Group, Rosemary-eco Botany, 2007, 9 pages
	28	Q&A, 3 pages (2004)
	29	Rahman, M.M., et al., "Conjugated linoleic acid inhibits osteoclast differentiation of RAW264.7 cells by modulating RANKL signaling" J. Lipid Res., 47(8): 1739-1748, (2006)
	30	Smith, et al., Natural Foam Stabilizing and Bittering Compounds Derived From Hops, Journal of the American Society of Brewing Chemists, Vol. 56, No. 2, 1998, pp. 52-57
	31	Stevens, Xanthohumol and related Prenylflavonoids from Hops and Beer: To Your Good Health, Science Direct, 2pp (2004)
	32	Suh, et al. Cancer Res 58:717-723 (1988)
	33	Supplementary Partial European Search Report for related European Patent Application No. 05723895.8, 5 pages (2007)
	34	Tagashira, et al., Biosci. Biotech. Biochem. 59(4):740-742 (1996)
	35	The national, 3 pages (1999)
EXAMINER		DATE CONSIDERED

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/Michael Miller/ (07/20/2006)

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BS 199 165487-1 (689): 0126

/Michael Me

**INFORMATION DISCLOSURE STATEMENT BY APPLICANT**  
(Use as many sheets as necessary)

		<b>Complete if Known</b>	
Application Number		10/557,293	
Filing Date		December 20, 2006	
First Named Inventor		John G. Babish	
Art Unit		1655	
Examiner Name		Michael V. Meller	
Docket Number		068911-0126	

**CERTIFICATION STATEMENT**

Please See 37 CFR 1.97 and 1.98 to make the appropriate selection(s)

- ☐ Items contained in this Information Disclosure Statement were first cited in any communication from a foreign patent office in a counterpart foreign application;
- ☒ In accordance with the provisions of 37 C.F.R. 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the documents listed on the attached form PTO-1449. It is respectfully requested that the documents be expressly considered during the prosecution of this application, and that the documents be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

OR

- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

- ☒ This Statement is not to be interpreted as a representation that the cited publications are material, that an exhaustive search has been conducted, or that no other relevant information exists. Nor shall the citation of any publication herein be construed *per se* as a representation that such publication is prior art. Moreover, the Applicant understands that the Examiner will make an independent evaluation of the cited publications.

- ☒ The Commissioner is hereby authorized to charge the fee pursuant to 37 CFR 1.17(p) in the amount of \$180.00, or further fees which may be due, to Deposit Account 50-1133.

- ☐ None

**SIGNATURE**

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

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